

MEMO ENDORSED

Law Office of
Locksley O. Wade, LLC

Telephone: (212) 933-9180
Facsimile: (212) 253-4142
E-mail: lwade@lwade-law.com
http://lwade-law.com

Locksley O. Wade, Esq.
15 West 39th Street
3rd Floor
New York, NY 10018

January 3, 2008

Hon. Richard M. Berman
United States Courthouse
500 Pearl Street, Courtroom 14A
New York, NY 10007

USDC SDNY
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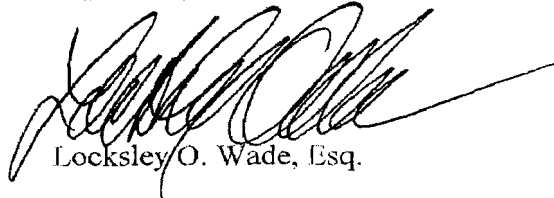
Via Fax No. (212) 805-6717

Re: Pesnell v. Viacom International et al,
Case No. 07-CV-9523 (RMB)

Dear Judge Berman:

Because of competing calendars, the parties are unavailable on the dates proposed by the Court for our Initial Case Management Conference. Therefore, as suggested by the Court's Chambers, a further postponement until the week of January 28th or a later time at the Court's convenience appears to be the best course of action.

Respectfully submitted,



Locksley O. Wade, Esq.

c.c. Roy P. Salins
salins@kmm.com
Counsel for Viacom

Donia Sawwan, Esq.
dsawwan@foxrothschild.com
Counsel for Spherion

Solomon Jacskile, Esq.
sojas@gmail.com
Counsel for En Point Technologies
(Appearance pending)

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| CONFERENCE ADJOURNED UNTIL 1/28/08 AT 9:15 A.M. |
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| SO ORDERED: Date: <u>1/4/08</u> Richard M. Berman Richard M. Berman, U.S.D.J. |

